

REMARKS

The application has been amended to place the application in condition for allowance at the time of the next Official Action.

The specification is objected to as allegedly failing to provide proper antecedent basis for the claimed subject matter. The Official Action indicates that the specification fails to provide proper antecedent basis for "information recording medium".

However, at least page 55, lines 6-16 of the application as filed discloses information recording medium. As the specification provides proper antecedent basis for the claimed subject matter, withdrawal of the objection is respectfully requested.

Claims 1-14 are pending in the application.

Claims 1-14 were rejected under 35 USC §102(b) as being anticipated by MASUI 6,002,390. That rejection is respectfully traversed.

Independent claims 1, 6, and 11-14 are amended and recite a detection device which detects at least an appearance frequency of an image word included in the music data and configures only a part of the music data by each piece of the stored music data.

As recited, the image word is part of a music data to be selected. See, for example, page 45, lines 20-26.

In contrast, column 5, lines 60-65 of MASUI, offered for the above-noted feature, disclose that "A first policy is to provide retrieval conditions by a simple operation. A second policy is to dynamically change a set of candidate words in accordance with a change in the retrieval conditions so as to retrieve and display the candidate words, and use these candidate words as selection objects."

In MASUI, a set of candidate words is changed in accordance with a change in the retrieval conditions. MASUI does not disclose that an image word is part of music data to be selected. Thus, MASUI does not disclose configuring only a part of a music data as recited.

In addition, claim 1 recites "an appearance frequency calculation device which calculates an overall appearance frequency of the detected image word in the stored plurality of pieces of music data based on the appearance frequency of the image word included in the detected music data, and corrects the appearance frequency of the image word included in the music data based on the calculated overall appearance frequency of the image word".

In contrast, column 6, lines 1-6 of MASUI, offered for this feature, disclose "A fourth policy is to calculate the likelihood of appearance of words from a determined character array immediately before the input position of the word or the

general appearance frequency of the word and the context, and display the candidates in the order of likelihood of appearance."

MASUI does not disclose correcting the appearance frequency of the image word.

Moreover, it is not apparent that the "general appearance frequency" of MASUI meets the limitation of the recited "overall appearance frequency".

Claim 1 further recites "a selection device which selects music data matching with the set search key from the stored music data based on the set search key and the calculated appearance frequency of the image word in the music data".

Column 5, lines 66-67 of MASUI are offered for this teaching. However, these lines disclose "A third policy is to select a target word from the plural candidates displayed as retrieval results."

In MASUI, only selection of a target word from the candidates is disclosed. MASUI fails to disclose making a selection from the stored music data based on the set search key and the calculated appearance frequency of the image word.

As the reference does not disclose in as complete detail that which is recited, the anticipation rejection is not viable. Reconsideration and withdrawal of the rejection are respectfully requested.

Claims 6 and 11-14 include similar limitations, and the analysis above regarding claim 1 is equally applicable to claims

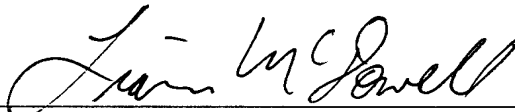
6 and 11-14. The dependent claims are believed patentable at least for depending from an allowable independent claim.

In view of the present amendment and the foregoing remarks, it is believed that the present application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON



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Liam McDowell, Reg. No. 44,231  
745 South 23<sup>rd</sup> Street  
Arlington, VA 22202  
Telephone (703) 521-2297  
Telefax (703) 685-0573  
(703) 979-4709

LM/lrs